

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



April 24, 2003

Regulation Package #0302-09

CDSS MANUAL LETTER NO. EAS-03-03

TO: HOLDERS OF THE EAS MANUAL, DIVISION 46

Regulations Package #0302-09**Effective 2/27/03****Section 46-430**

This manual letter has been posted on the Office of Regulations Development website at http://www.dss.cahwnet.gov/ord/Eligibilit_617.htm.

These regulations implement the requirements of Senate Bill (SB) 1190, (Chapter 452, Statutes of 2001). SB 1190 increased the monthly allowance for Social Security Disability Insurance recipients from \$35 to \$50, equal to the amount of the monthly allowance for SSI/SSP recipients. All Assistance Dog Special Allowance (ADSA) recipients will now be eligible for the same allowance.

These regulations also implement the Department's existing policy interpreting Welfare and Institutions Code Section 18941 by specifying that recipients of the Cash Assistance Program for Immigrants (CAPI) (Division 9, Part 6, Chapter 10.5, Welfare and Institutions Code) are categorically eligible for the ADSA allowance.

These regulations were adopted on February 27, 2003 and were considered at the Department's public hearings held on December 17 and 18, 2002.

FILING INSTRUCTIONS

Revisions to all manuals are shown in graphic screen. The attached pages are to be entered in your copy of the Manual of Policies and Procedures. The latest prior manual letter containing EAS changes was EAS-03-02.

Page(s)**Replace(s)**611
620 through 623.1Page 611
Pages 620 through 623.1

Attachments

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TABLE OF CONTENTS**CHAPTER 46-400 AID RECOVERIES AND SPECIAL CIRCUMSTANCES**

	Section
Special Circumstances	46-425
Special Needs - Food, Care, and Maintenance for Assistance Dogs	46-430

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46-425	SPECIAL CIRCUMSTANCES (Continued)	46-425
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- .682 This allowance shall be limited to one time only per recipient, regardless of whether the maximum is used.
- .683 The allowance shall be prorated among the owners of the property. If the property is owned by more than one person and the other owner(s) do not contribute his/her share of the amount required to prevent foreclosure, the allowance shall not be granted to the SSP recipient(s). When the recipient is the sole owner of the property, and the maximum allowance is not sufficient when added to contributions from other sources to prevent foreclosure, the allowance shall not be granted.

46-430	SPECIAL NEEDS - FOOD, CARE, AND MAINTENANCE FOR ASSISTANCE DOGS	46-430
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.1 Definitions.

For the purpose of the Assistance Dog Special Allowance Program, the following definitions shall apply wherever the terms are used throughout Section 46-430.

- (a) (1) "Assistance Dog" means a guide dog, signal dog, or service dog.
- (b) (1) "Blind Recipient" means any individual who is considered blind as defined in Section 1614(a) of Title XVI of the Social Security Act.
- (c) (1) "Cash Assistance Program Immigrants" (CAPI) means that program provided for under Division 9, Part 6, Chapter 10.3 of the Welfare and Institutions Code (commencing with Section 18937).
- (d) (1) "Disabled Recipient" means any individual who is considered disabled as defined in Section 1614(a) of Title XVI of the Social Security Act or Title II Social Security Act (42 U.S.C. Section 401, et seq.).
- (e) (1) "Eligible Recipient" means any blind or disabled individual who is a recipient of SSI, SSP, CAPI, SSDI, or IHSS, or any combination, and who uses the services of an assistance dog.
- (f) (Reserved)
- (g) (1) "Guide Dog" means a dog that has been specifically trained, and certified by a licensed guide dog trainer under the provisions of Chapter 9.5 (commencing with Section 7200) of Division 3 of the Business and Professions Code for use by a blind person to assist with his/her sight needs.
- (h) (Reserved)

46-430	SPECIAL NEEDS - FOOD, CARE, AND MAINTENANCE FOR ASSISTANCE DOGS (Continued)	46-430
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- (i) (1) "In Home Supportive Services" (IHSS) means that program provided for under Division 9, Chapter 3, Article 7 of the Welfare and Institutions Code (commencing with Section 12300) and further defined in MPP Section 30-700.1).
- (2) "Income" means income as defined in the Code of Federal Regulations, Title 20, Volume 2, Part 416, Subpart K.
- (j) (Reserved)
- (k) (Reserved)
- (l) (Reserved)
- (m) (Reserved)
- (n) (Reserved)
- (o) (Reserved)
- (p) (Reserved)
- (q) (Reserved)
- (r) (1) "Resources" means resources as defined in the Code of Federal Regulations, Title 20, Volume 2, Part 416, Subpart L.
- (s) (1) "CDSS" means the California Department of Social Services.
- (2) "Service Dog" means a dog that has been trained to meet a physically disabled person's requirements including, but not limited to, minimal protection work, rescue work, pulling a wheel chair, or fetching dropped items.
- (3) "Signal Dog" means a dog that has been trained to alert a deaf person or a person whose hearing is impaired, to intruders or sounds.
- (4) "Special Needs Allowance" means an allowance provided by the Assistance Dog Special Allowance Program to pay for dog food and other costs associated with an assistance dog's care and maintenance.
- (5) "Social Security Disability Insurance" (SSDI) means that program provided for under Title II of the federal Social Security Act (42 U.S.C. Section 401, et seq.)

46-430	SPECIAL NEEDS - FOOD, CARE AND MAINTENANCE FOR ASSISTANCE DOGS (Continued)	46-430
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- (6) "Supplemental Security Income" (SSI) means the program provided for under Title XVI of the federal Social Security Act (42 U.S.C. Section 1381, et seq.).
- (7) "State Supplementary Program" (SSP) means that program provided for under Division 9, Part 3, Chapter 3 of the Welfare and Institutions Code (commencing with Section 12000).
- (t) (1) "Termination" means the removal of a current recipient from ADSA Program.
- (u) (Reserved)
- (v) (Reserved)
- (w) (Reserved)
- (x) (Reserved)
- (y) (Reserved)
- (z) (Reserved)

.2 Eligibility

To be eligible for ADSA benefits, a person must complete the application process and meet all the following conditions:

- .21 Reside in the State of California.
- .22 Be disabled as defined in Section 46-430.1(b)(1) or 46-430.1(d)(1).
- .23 Be using the services of an assistance dog as defined in Section 46-430.1(a)(1).
- .24 Be receiving aid or services from one or more of the following programs: SSI, SSP, CAPI, SSDI, or IHSS.
 - .241 Recipients of SSDI must have income and resources equal to or less than the federal poverty level, as defined in MPP Sections 46-430.1(i)(2) and 46-430.1(r)(1).
- .25 Comply with all CDSS application and reporting requirements.

46-430	SPECIAL NEEDS - FOOD, CARE AND MAINTENANCE FOR ASSISTANCE DOGS (Continued)	46-430
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.3 Application

Upon request the Department shall provide an eligibility application.

- .31 For recipients of SSI, SSP, CAPI, or IHSS, application shall be made on Form ADSA 1 (Rev. 6/01) to the California Department of Social Services, Assistance Dog Special Allowance Program. The application shall be signed under penalty of perjury.
- .32 For recipients of SSDI, application shall be made on Form ADSA 1B (Rev. 6/01) to the California Department of Social Services, Assistance Dog Special Allowance Program. The application shall be signed under penalty of perjury.
- .33 Applicants who claim eligibility based on their SSDI status shall provide CDSS with a proof of income statement from the Social Security Administration.
- .34 Applicants shall provide any and all information and documentation requested by CDSS in order to verify compliance with Welfare and Institutions Code Sections 12553 and/or 12554.
- .35 The Department will approve or deny every application and notify the applicant of the action no more than 30 days after the date the application is received.

.4 Payments

Eligibility begins the first day of the month in which the application is received. If determined eligible, payments shall be made retroactively to the month in which the applicant was first made eligible.

- .41 The monthly allowance shall be \$50.

- .42 (Reserved)

.5 Redeterminations

Eligibility for this allowance shall be redetermined as follows:

- .51 Eligibility for this allowance shall be redetermined at least once every twelve months.
- .52 Each recipient shall complete and return the ADSA Renewal Application Form ADSA 1A (Rev. 4/01) to CDSS by the due date shown on the form.

46-430	SPECIAL NEED - FOOD, CARE AND MAINTENANCE FOR ASSISTANCE DOGS (Continued)	46-430
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- .53 Each recipient shall promptly notify CDSS if he/she:
 - .531 Ceases to be a recipient of benefits under SSI, SSP, CAPI, SSDI or IHSS.
 - .532 Ceases using the services of an assistance dog.
 - .533 Has change in any information provided on the application forms provided to CDSS.

.6 Termination

Recipients , who fail to meet the eligibility requirements as defined in Section 46-430.2, will be terminated from the ADSA Program.

- .61 Terminations shall be effective the last day of the month in which it is determined the recipient no longer meets the eligibility requirements for the program.
- .62 Notice of Action Denial and Right to Request a State Hearing forms shall be forwarded to the recipient being terminated, along with a new ADSA Application and postage free return envelope.

HANDBOOK BEGINS HERE

.7 County Responsibility

The county welfare department will assist the recipient in completing his/her application for the special allowance when necessary to do so.

HANDBOOK ENDS HERE

NOTE: Authority cited: Sections 10553, 10554, 12500, 12553 and 18943, Welfare and Institutions Code. Reference: Sections 10553, 10554, 12500, 12553 and 12554, Welfare and Institutions Code; Section 1614(a)(2), Title XVI of the Social Security Act; Chapter 9.5 (commencing with Section 7200) of Division 3 of the Business and Professions Code; 42 U.S.C. Section 401, et seq.; and Section 54.1, Civil Code; Division 9, Part 6, Chapter 10.3 of the Welfare and Institutions Code (commencing with Section 18937).

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